

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHER DIVISION**

SCOTT REINBOLD as next friend of  
CARTER REINBOLD, a minor,

Plaintiff,

Case No. 1:23-cv-753

Hon. \_\_\_\_\_

v

BRAVO BRIO RESTAURANTS, LLC d/b/a  
BRAVO! ITALIAN KITCHEN and  
JOHN DOE,

Defendants.

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MATTHEW C. BROWN (P40078)  
MATTHEW J. BROWN (P73030)  
BROWN & BROWN, PLC  
Co-Counsel for Plaintiff  
838 W. Long Lake Rd., Suite 100  
Bloomfield Hills, MI 48302  
(248) 454-1120  
[mcb@bblawplc.com](mailto:mcb@bblawplc.com)  
[mjb@bblawplc.com](mailto:mjb@bblawplc.com)

MICHAEL J. LEBOW NBTA (P33734)  
MICHAEL J. LEBOW NBTA, PLC  
Co-Counsel for Plaintiff  
838 W. Long Lake Rd., Suite 100  
Bloomfield Hills, MI 48302  
(248) 454-1120  
[mjl@michaeljlebow.com](mailto:mjl@michaeljlebow.com)

GREGORY M. MEIHN (P38939)  
MATTHEW T. WISE (P76794)  
JASON B. BROWN (P79226)  
GORDON REES SCULLY  
MANSUKHANI  
Attorneys for Defendant Bravo Brio  
37000 Woodward Ave., Suite 225  
Bloomfield Hills, MI 48304  
(248) 721-4200 / Fax (248) 721-4201  
[gmeihn@grsm.com](mailto:gmeihn@grsm.com)  
[mwise@grsm.com](mailto:mwise@grsm.com)  
[jbbrown@grsm.com](mailto:jbbrown@grsm.com)

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**DEFENDANT BRAVO BRIO RESTAURANTS, LLC d/b/a BRAVO! ITALIAN  
KITCHEN'S NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION**

Defendants, Bravo Brio Restaurants, LLC d/b/a Bravo! Italian Kitchen ("Defendant"), by and through their attorneys, Gordon Rees Scully Mansukhani, respectfully files this Notice of Removal to Federal Court pursuant to 28 U.S.C. § 1332, 28 U.S.C. § 1441, and 28 U.S.C. § 1446

and states as follows in support:

1. On or about May 24, 2023 Plaintiff filed this lawsuit against Bravo Brio Restaurants, LLC d/b/a Bravo! Italian Kitchen and John Doe. (**Exhibit 1, Summons, Complaint, Jury Demand, Proof of Service & Exhibit 2, Ingham County Docket Summary**).

2. Plaintiff served Defendant with a copy of the Complaint on June 27, 2023.

3. Defendant Bravo Brio Restaurants, LLC d/b/a Bravo! Italian Kitchen is a Foreign Limited Liability Company located in Florida with its principal office located at 4700 Millenia Blvd., Ste. 400, Orlando, FL 32829. (**Exhibit 3, Certification**). Also, none of the members of the LLC are citizens of Michigan. (**Exhibit 4, Incorporation Documents**).

4. According to the Complaint, Plaintiff Carter Reinbold is a resident of Kent County and State of Michigan.

5. Plaintiff also asserts that the amount in controversy exceeds \$25,000.00 and based on the allegations presumably asserts an amount in controversy over \$75,000.00.

6. Pursuant to 28 U.S.C. § 1332, Federal District Courts have original jurisdictions where the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between

(1) citizens of two different states;

(2) citizens of a State and citizens or subjects of a foreign state, except that the district courts shall not have original jurisdiction under this subsection of an action between citizens of a State and citizens or subjects of a foreign state who are lawfully admitted for permanent residence in the United States and are domiciled in the same State;

(3) citizens of different States and in which citizens or subjects of a foreign state are additional parties; and

(4) a foreign state, defined in section 1603(a) of this title, as plaintiff and citizens of a State or of different States

7. Furthermore, naming ‘John Doe’ as a defendant does not defeat diversity

jurisdiction. 28 U.S.C. § 1441 (b)(1). “It is clear that ‘Jane Doe’ is a fictitious name” that “Section 1441(a) compels...be disregarded for purposes of diversity jurisdiction.” *Alexander v Electronic Data Sys. Corp.* 13 F.3d 940, 948 (6<sup>th</sup> Cir. 1994).

8. This Notice of Removal is being filed within thirty days of service of the Summons and Complaint, the first pleadings served on Defendant. Defendant’s time to respond to Plaintiff’s Complaint has not expired. Thus, this Notice is timely filed under 28 U.S.C. § 1446(b).

9. Defendant has attached copies of all process, pleadings, orders, and other papers in this action pursuant to 28 U.S.C. § 1446(a).

10. Therefore, removal is proper and United States District Court, Western District of Michigan, Southern Division has original jurisdiction over this matter.

Respectfully submitted,  
GORDON REES SCULLY MANSUKHANI

/s/ Jason B. Brown

GREGORY M. MEIHN (P38939)

MATTHEW T. WISE (P76794)

JASON B. BROWN (P79226)

Attorney for Defendant Bravo Brio

37000 Woodward Avenue, Suite 225

Bloomfield Hills, MI 48304-0925

(313) 426-9815 / (313) 406-7373 (fax)

Dated: July 13, 2023

**CERTIFICATE OF SERVICE**

I hereby certify that on July 14, 2023, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to:

MATTHEW C. BROWN (P40078)  
MATTHEW J. BROWN (P73030)  
BROWN & BROWN, PLC  
Co-Counsel for Plaintiff  
838 W. Long Lake Rd., Suite 100  
Bloomfield Hills, MI 48302  
(248) 454-1120  
[mcb@bblawplc.com](mailto:mcb@bblawplc.com)  
[mjb@bblawplc.com](mailto:mjb@bblawplc.com)

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838 W. Long Lake Rd., Suite 100  
Bloomfield Hills, MI 48302  
(248) 454-1120  
[mjl@michaeljlebow.com](mailto:mjl@michaeljlebow.com)

and I hereby certify that I have mailed by US Postal Service to the following non-ECF participants:

Clerk of the Court  
Ingham County Circuit Court  
303 W. Kalamazoo St., Floor 3R  
Lansing, MI 48933

Judge Jamo  
Ingham County Circuit Court  
303 W. Kalamazoo St., Floor 3R  
Lansing, MI 48933

Respectfully submitted,  
GORDON REES SCULLY MANSUKHANI

/s/ Jason B. Brown

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Attorney for Defendant Bravo Brio

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